

Through the Belt and Road Initiative, the Chinese Communist Party has sunk its teeth into some of the most valuable tourist destinations on the face of the Earth, on trade route, and strategic outposts.

They have sold this program as an economic development initiative, but in reality this debt-trap diplomacy is really just an extortion scheme. Once these countries fall into the trap, it is almost impossible to escape.

Even before the pandemic forced the United States into lockdown, I and several other of my colleagues on both sides of the aisle were ringing alarm bells about our supply chain security. China is the most dominant global source of rare Earth minerals, technology infrastructure, and many active pharmaceutical ingredients.

Long story short, there is a lot on the line for the people of the United States. The cards are stacked against us.

It would be really easy to protect that valuable status quo by ignoring human rights violations and extortion schemes and other overt attempts to make the world a little less free. But as much as we would like it to be, freedom is not humanity's natural state. It is fragile. It falls victim to the weak and the power hungry alike, and, if we are not careful, yes, it will slip away, like it has in so many other countries.

Freedom does have to be fought for, and we need our leaders to set the example. That means staying focused on not following the example of countries that have given up their freedom. We don't want to live out the authoritarian nightmare that the CCP has created, but we also want to avoid becoming like nations that have already pawned their futures in pursuit of some grand socialist future.

I fear that our new majority has already lost touch with what the American people actually want. They sure don't want what the Biden administration has been selling lately. I can definitely tell you that after a weekend in Tennessee. They don't feel taken care of. What they are feeling is that they are being manipulated.

They want to know why President Biden and the Democratic majority keep trying to pawn off the freedom that makes us an example to the rest of the world in exchange for more government control that nobody asked for.

I would encourage my colleagues on the other side of the aisle to remember that the American people entrusted them with the power that they are wasting on these radical wish lists items, and that power can be taken away just as easily as it was given.

The American people want to make certain that we do as Ronald Reagan implored us to remember. And, Madam President, as you know, last week I had that poster here on the floor. Freedom is always one generation away from extinction. It is our responsibility to fight for it, to pass it on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 257.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gwynne A. Wilcox, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2023.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 257, Gwynne A. Wilcox, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2023.

Charles E. Schumer, Tammy Baldwin, Tim Kaine, Patty Murray, Tina Smith, Jacky Rosen, Christopher Murphy, Cory A. Booker, Mark R. Warner, Brian Schatz, Sherrod Brown, Sheldon Whitehouse, Raphael Warnock, Michael F. Bennet, Jeanne Shaheen, Patrick J. Leahy, Richard J. Durbin.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 258.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of David M. Prouty, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2026.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 258, David M. Prouty, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2026.

Charles E. Schumer, Tammy Baldwin, Tim Kaine, Patty Murray, Tina Smith, Jacky Rosen, Christopher Murphy, Cory A. Booker, Mark R. Warner, Brian Schatz, Sherrod Brown, Sheldon Whitehouse, Raphael Warnock, Michael F. Bennet, Jeanne Shaheen, Patrick J. Leahy, Richard J. Durbin.

Mr. SCHUMER. Madam President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, July 26, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 122, Todd Sunhwa Kim, of the District of Columbia, to be an Assistant Attorney General.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Margaret Wood Hassan, Catherine Cortez Masto, Jeff Merkley, Patty Murray, Tammy Baldwin, Debbie Stabenow, Gary C. Peters, Angus S. King, Jr., Sheldon Whitehouse, Robert P. Casey, Jr., Christopher Murphy, Ben Ray Lujan, Jack Reed, Chris Van Hollen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Todd Sunhwa Kim, of the District

of Columbia, to be an Assistant Attorney General, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Maryland (Mr. CARDIN), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Oklahoma (Mr. INHOFE), and the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 278 Ex.]

#### YEAS—54

Baldwin	Grassley	Padilla
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Brown	Hirono	Sanders
Cantwell	Kaine	Schatz
Capito	Kelly	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Sinema
Collins	Leahy	Smith
Coons	Lujan	Stabenow
Cornyn	Manchin	Tester
Cortez Masto	Markey	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warnock
Feinstein	Murkowski	Warren
Gillibrand	Murphy	Whitehouse
Graham	Ossoff	Wyden

#### NAYS—40

Barrasso	Hoeven	Rubio
Blackburn	Hyde-Smith	Sasse
Boozman	Johnson	Scott (FL)
Braun	Kennedy	Scott (SC)
Burr	Lankford	Shelby
Cassidy	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young
Hagerty	Risch	
Hawley	Romney	

#### NOT VOTING—6

Booker	Crapo	Murray
Cardin	Inhofe	Rounds

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 54, the nays are 40.

The motion is agreed to.

The Senator from Rhode Island.

#### EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the following nomination: Calendar No. 165.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination Frank Kendall III, of Massachusetts, to be Secretary of the Air Force.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be

considered made and laid upon the table, all without intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Kendall nomination?

The nomination was confirmed.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATIONS OF HELAINE ANN GREENFELD AND CHRISTOPHER H. SCHROEDER

Mr. GRASSLEY. Mr. President, I intend to object to any unanimous consent request relating to the nomination of Helaine Ann Greenfeld, to be an Assistant Attorney General at the Department of Justice, PN459, and Christopher H. Schroeder, to be an Assistant Attorney General at the Department of Justice, PN370.

Last week, at the Senate Judiciary Committee's executive business meeting, I noted my intent to vote for both nominees but object to any unanimous consent request for their confirmation. Ms. Greenfeld will lead the Justice Department's Office of Legislative Affairs and Mr. Schroeder will lead the Justice Department's Office of Legal Counsel. Both of these components are at the heart of my congressional oversight requests and the Department's failure to respond. I have made this decision clearly not on the basis of their credentials but on the basis of the Justice Department's failure to respond to congressional oversight requests.

To date, the Justice Department has failed to provide a full and complete response to any of my oversight requests. I said the same thing when I objected to any unanimous consent request relating to the Kenneth Polite nomination on June 22, 2021. Nothing has changed.

For example, on July 15, 2021, my staff had yet another call with the Justice Department's Office of Legislative Affairs, the very office Ms. Greenfeld will be in charge of. On that call, the Department wanted to know why I had a hold on Mr. Polite and whether they could do anything to change my mind. My staff made clear to the Department that the issues before them are quite

simple: Attorney General Garland must respond to my oversight letters and records requests.

The Department asked for that call with my staff, and the Department did not provide my staff a substantive update on any of my oversight requests. It is absurd for the Department to schedule a call relating to my hold on Mr. Polite, which was done due to the Department's consistent failure to respond to my oversight requests, and then have no updates relating to any of my oversight requests.

As one of many examples of unanswered questions and requests, on February 3, 2021, and March 9, 2021, Senator JOHNSON and I requested information from the Justice Department relating to Nicholas McQuaid. Mr. McQuaid was Acting Assistant Attorney General for the Criminal Division, the position Mr. Polite now holds. In those letters, we raised concerns about potential conflicts of interest in light of the fact that Mr. McQuaid was employed at Latham & Watkins until January 20, 2021, and worked with Christopher Clark, whom Hunter Biden reportedly hired to work on his Federal criminal case.

This arrangement presents an ongoing potential conflict of interest given the fact Mr. McQuaid is still employed at the Criminal Division as the Principal Deputy Assistant Attorney General. A core function of congressional oversight is to ensure that governmental departments and agencies are free of conflicts of interest. That is especially so with the Justice Department and FBI. If conflicts infect them, those investigations and prosecutions—the very purpose of the Department's existence—could be undermined.

As a part of my oversight, I have requested a recusal memo for Mr. McQuaid. I have also requested to know, as a threshold issue, whether one even exists.

Attorney General Garland has failed to answer and provide the requested records. I have noted to the Department that in 2016, I received from the Department Andrew McCabe's recusal memo to illustrate precedent exists for such a production to Congress. Still, the Justice Department refuses to provide the same for Mr. McQuaid.

On the July 15, 2021, call with my staff, they again raised my questions about Mr. McQuaid. The Department was unable to provide any legitimate basis upon which it could not answer my questions and again failed to provide any update on the Department's response.

As I have noted before with respect to the Federal Government's failure to respond to legitimate congressional oversight requests, there is nothing more eroding of public faith than an unresponsive executive branch that believes it only answers to the President and not the U.S. Congress and, perhaps most importantly, "We the People."

This administration's continued, ongoing, and blatant lack of cooperation has again forced my hand.